

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

CHRISTIANA MICHELE HUGHES
3119 Ursus Court
Antioch, CA 94531

Registered Nurse License No. **696895**

Respondent

Case No. 2012-171

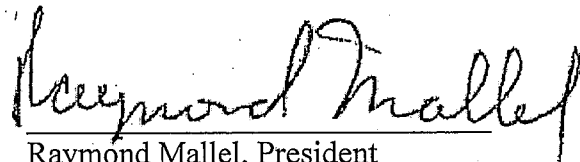
OAH No. 2011110091

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **August 31, 2012.**

IT IS SO ORDERED **July 31, 2012.**



Raymond Mallel, President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 KAMALA D. HARRIS
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 JUDITH J. LOACH
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7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2012-171

13 **CHRISTIANA MICHELLE HUGHES**
14 **3119 Ursus Court**
Antioch, CA 94531
15 **Registered Nurse License No. 696895**

OAH No. 2011110091

16 **STIPULATED SETTLEMENT AND**
17 **DISCIPLINARY ORDER**

18 Respondent.

19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
20 entitled proceedings that the following matters are true:

21 PARTIES

22 1. Louise R. Bailey, M.Ed., RN ("Complainant") is the Interim Executive Officer of the
23 Board of Registered Nursing. She brought this action solely in her official capacity and is
24 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by
25 Judith J. Loach, Deputy Attorney General.

26 2. Respondent Christiana Michelle Hughes ("Respondent") is represented in this
27 proceeding by attorney Edgardo Gonzalez, Esq., whose address is: 1300 Clay Street, Suite 600,
28 Oakland, CA 94612.

3. On or about February 7, 2007, the Board of Registered Nursing issued Registered
Nurse License No. 696895 to Respondent. The Registered Nurse License was in full force and

1 effect at all times relevant to the charges brought in Accusation No. 2012-171 and will expire on
2 May 31, 2012, unless renewed.

3 JURISDICTION

4 4. Accusation No. 2012-171 was filed before the Board of Registered Nursing (Board),
5 Department of Consumer Affairs, and is currently pending against Respondent. The Accusation
6 and all other statutorily required documents were properly served on Respondent on September
7 22, 2011. Respondent timely filed her Notice of Defense contesting the Accusation.

8 5. A copy of Accusation No. 2012-171 is attached as Exhibit A and incorporated herein
9 by reference.

10 ADVISEMENT AND WAIVERS

11 6. Respondent has carefully read, fully discussed with counsel, and understands the
12 charges and allegations in Accusation No. 2012-171. Respondent has also carefully read, fully
13 discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary
14 Order.

15 7. Respondent is fully aware of her legal rights in this matter, including the right to a
16 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at
17 her own expense; the right to confront and cross-examine the witnesses against her; the right to
18 present evidence and to testify on her own behalf; the right to the issuance of subpoenas to
19 compel the attendance of witnesses and the production of documents; the right to reconsideration
20 and court review of an adverse decision; and all other rights accorded by the California
21 Administrative Procedure Act and other applicable laws.

22 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
23 every right set forth above.

24 CULPABILITY

25 9. Respondent admits the truth of each and every charge and allegation in Accusation
26 No. 2012-171.

27 10. Respondent agrees that her Registered Nurse License is subject to discipline and she
28 agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

CONTINGENCY

11. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or her counsel. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

12. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

13. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

14. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Registered Nurse License No. RN 696895 issued to Respondent Christiana Michelle Hughes (Respondent) is revoked. However, the revocation is stayed and Respondent is placed on probation for three (3) years on the following terms and conditions.

1 **Severability Clause.** Each condition of probation contained herein is a separate and
2 distinct condition. If any condition of this Order, or any application thereof, is declared
3 unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other
4 applications thereof, shall not be affected. Each condition of this Order shall separately be valid
5 and enforceable to the fullest extent permitted by law.

6 1. **Obey All Laws.** Respondent shall obey all federal, state and local laws. A full and
7 detailed account of any and all violations of law shall be reported by Respondent to the Board in
8 writing within seventy-two (72) hours of occurrence. To permit monitoring of compliance with
9 this condition, Respondent shall submit completed fingerprint forms and fingerprint fees within
10 45 days of the effective date of the decision, unless previously submitted as part of the licensure
11 application process.

12 **Criminal Court Orders:** If Respondent is under criminal court orders, including
13 probation or parole, and the order is violated, this shall be deemed a violation of these probation
14 conditions, and may result in the filing of an accusation and/or petition to revoke probation.

15 2. **Comply with the Board's Probation Program.** Respondent shall fully comply with
16 the conditions of the Probation Program established by the Board and cooperate with
17 representatives of the Board in its monitoring and investigation of the Respondent's compliance
18 with the Board's Probation Program. Respondent shall inform the Board in writing within no
19 more than 15 days of any address change and shall at all times maintain an active, current license
20 status with the Board, including during any period of suspension.

21 Upon successful completion of probation, Respondent's license shall be fully restored.

22 3. **Report in Person.** Respondent, during the period of probation, shall appear in
23 person at interviews/meetings as directed by the Board or its designated representatives.

24 4. **Residency, Practice, or Licensure Outside of State.** Periods of residency or
25 practice as a registered nurse outside of California shall not apply toward a reduction of this
26 probation time period. Respondent's probation is tolled, if and when she resides outside of
27 California. Respondent must provide written notice to the Board within 15 days of any change of
28 residency or practice outside the state, and within 30 days prior to re-establishing residency or

1 returning to practice in this state.

2 Respondent shall provide a list of all states and territories where she has ever been licensed
3 as a registered nurse, vocational nurse, or practical nurse. Respondent shall further provide
4 information regarding the status of each license and any changes in such license status during the
5 term of probation. Respondent shall inform the Board if she applies for or obtains a new nursing
6 license during the term of probation.

7 **5. Submit Written Reports.** Respondent, during the period of probation, shall submit
8 or cause to be submitted such written reports/declarations and verification of actions under
9 penalty of perjury, as required by the Board. These reports/declarations shall contain statements
10 relative to Respondent's compliance with all the conditions of the Board's Probation Program.
11 Respondent shall immediately execute all release of information forms as may be required by the
12 Board or its representatives.

13 Respondent shall provide a copy of this Decision to the nursing regulatory agency in every
14 state and territory in which she has a registered nurse license.

15 **6. Function as a Registered Nurse.** Respondent, during the period of probation, shall
16 engage in the practice of registered nursing in California for a minimum of 24 hours per week for
17 6 consecutive months or as determined by the Board.

18 For purposes of compliance with the section, "engage in the practice of registered nursing"
19 may include, when approved by the Board, volunteer work as a registered nurse, or work in any
20 non-direct patient care position that requires licensure as a registered nurse.

21 The Board may require that advanced practice nurses engage in advanced practice nursing
22 for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

23 If Respondent has not complied with this condition during the probationary term, and
24 Respondent has presented sufficient documentation of her good faith efforts to comply with this
25 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an
26 extension of Respondent's probation period up to one year without further hearing in order to
27 comply with this condition. During the one year extension, all original conditions of probation
28 shall apply.

1 7. **Employment Approval and Reporting Requirements.** Respondent shall obtain
2 prior approval from the Board before commencing or continuing any employment, paid or
3 voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all
4 performance evaluations and other employment related reports as a registered nurse upon request
5 of the Board.

6 Respondent shall provide a copy of this Decision to her employer and immediate
7 supervisors prior to commencement of any nursing or other health care related employment.

8 In addition to the above, Respondent shall notify the Board in writing within seventy-two
9 (72) hours after she obtains any nursing or other health care related employment. Respondent
10 shall notify the Board in writing within seventy-two (72) hours after she is terminated or
11 separated, regardless of cause, from any nursing, or other health care related employment with a
12 full explanation of the circumstances surrounding the termination or separation.

13 8. **Supervision.** Respondent shall obtain prior approval from the Board regarding
14 Respondent's level of supervision and/or collaboration before commencing or continuing any
15 employment as a registered nurse, or education and training that includes patient care.

16 Respondent shall practice only under the direct supervision of a registered nurse in good
17 standing (no current discipline) with the Board of Registered Nursing, unless alternative methods
18 of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are
19 approved.

20 Respondent's level of supervision and/or collaboration may include, but is not limited to the
21 following:

22 (a) Maximum - The individual providing supervision and/or collaboration is present in
23 the patient care area or in any other work setting at all times.

24 (b) Moderate - The individual providing supervision and/or collaboration is in the patient
25 care unit or in any other work setting at least half the hours Respondent works.

26 (c) Minimum - The individual providing supervision and/or collaboration has person-to-
27 person communication with Respondent at least twice during each shift worked.

28 (d) Home Health Care - If Respondent is approved to work in the home health care

1 setting, the individual providing supervision and/or collaboration shall have person-to-person
2 communication with Respondent as required by the Board each work day. Respondent shall
3 maintain telephone or other telecommunication contact with the individual providing supervision
4 and/or collaboration as required by the Board during each work day. The individual providing
5 supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to
6 patients' homes visited by Respondent with or without Respondent present.

7 **9. Employment Limitations.** Respondent shall not work for a nurse's registry, in any
8 private duty position as a registered nurse, a temporary nurse placement agency, a traveling nurse,
9 or for an in-house nursing pool.

10 Respondent shall not work for a licensed home health agency as a visiting nurse unless the
11 registered nursing supervision and other protections for home visits have been approved by the
12 Board. Respondent shall not work in any other registered nursing occupation where home visits
13 are required.

14 Respondent shall not work in any health care setting as a supervisor of registered nurses.
15 The Board may additionally restrict Respondent from supervising licensed vocational nurses
16 and/or unlicensed assistive personnel on a case-by-case basis.

17 Respondent shall not work as a faculty member in an approved school of nursing or as an
18 instructor in a Board approved continuing education program.

19 Respondent shall work only on a regularly assigned, identified and predetermined
20 worksite(s) and shall not work in a float capacity.

21 If Respondent is working or intends to work in excess of 40 hours per week, the Board may
22 request documentation to determine whether there should be restrictions on the hours of work.

23 **10. Complete a Nursing Course(s).** Respondent, at her own expense, shall enroll and
24 successfully complete a course(s) relevant to the practice of registered nursing no later than six
25 months prior to the end of her probationary term.

26 Respondent shall obtain prior approval from the Board before enrolling in the course(s).
27 Respondent shall submit to the Board the original transcripts or certificates of completion for the
28 above required course(s). The Board shall return the original documents to Respondent after

1 photocopying them for its records.

2 11. **Cost Recovery.** Respondent shall pay to the Board costs associated with its
3 investigation and enforcement pursuant to Business and Professions Code section 125.3 in the
4 amount of \$ 5,950.00. Respondent shall be permitted to pay these costs in a payment plan
5 approved by the Board, with payments to be completed no later than three months prior to the end
6 of the probation term.

7 If Respondent has not complied with this condition during the probationary term, and
8 Respondent has presented sufficient documentation of her good faith efforts to comply with this
9 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an
10 extension of Respondent's probation period up to one year without further hearing in order to
11 comply with this condition. During the one year extension, all original conditions of probation
12 will apply.

13 12. **Violation of Probation.** If Respondent violates the conditions of her probation, the
14 Board after giving Respondent notice and an opportunity to be heard, may set aside the stay order
15 and impose the stayed discipline (revocation/suspension) of Respondent's license.

16 If during the period of probation, an accusation or petition to revoke probation has been
17 filed against Respondent's license or the Attorney General's Office has been requested to prepare
18 an accusation or petition to revoke probation against Respondent's license, the probationary
19 period shall automatically be extended and shall not expire until the accusation or petition has
20 been acted upon by the Board.

21 13. **License Surrender.** During Respondent's term of probation, if she ceases practicing
22 due to retirement, health reasons or is otherwise unable to satisfy the conditions of probation,
23 Respondent may surrender her license to the Board. The Board reserves the right to evaluate
24 Respondent's request and to exercise its discretion whether to grant the request, or to take any
25 other action deemed appropriate and reasonable under the circumstances, without further hearing.
26 Upon formal acceptance of the tendered license and wall certificate, Respondent will no longer be
27 subject to the conditions of probation.

28 Surrender of Respondent's license shall be considered a disciplinary action and shall

1 become a part of Respondent's license history with the Board. A registered nurse whose license
2 has been surrendered may petition the Board for reinstatement no sooner than the following
3 minimum periods from the effective date of the disciplinary decision:

4 (1) Two years for reinstatement of a license that was surrendered for any reason other
5 than a mental or physical illness; or

6 (2) One year for a license surrendered for a mental or physical illness.

7 14. **Physical Examination.** Within 45 days of the effective date of this Decision,
8 Respondent, at her expense, shall have a licensed physician, nurse practitioner, or physician
9 assistant, who is approved by the Board before the assessment is performed, submit an
10 assessment of the Respondent's physical condition and capability to perform the duties of a
11 registered nurse, including a determination as set forth below in the condition titled "Rule-Out
12 Substance Abuse Assessment." Such an assessment shall be submitted in a format acceptable to
13 the Board. If medically determined, a recommended treatment program will be instituted and
14 followed by the Respondent with the physician, nurse practitioner, or physician assistant
15 providing written reports to the Board on forms provided by the Board.

16 If Respondent is determined to be unable to practice safely as a registered nurse, the
17 licensed physician, nurse practitioner, or physician assistant making this determination shall
18 immediately notify the Board and Respondent by telephone, and the Board shall request that the
19 Attorney General's office prepare an accusation or petition to revoke probation. Respondent shall
20 immediately cease practice and shall not resume practice until notified by the Board. During this
21 period of suspension, Respondent shall not engage in any practice for which a license issued by
22 the Board is required until the Board has notified Respondent that a medical determination
23 permits Respondent to resume practice. This period of suspension will not apply to the reduction
24 of this probationary time period.

25 If Respondent fails to have the above assessment submitted to the Board within the 45-day
26 requirement, Respondent shall immediately cease practice and shall not resume practice until
27 notified by the Board. This period of suspension will not apply to the reduction of this
28 probationary time period. The Board may waive or postpone this suspension only if significant,

1 documented evidence of mitigation is provided. Such evidence must establish good faith efforts
2 by Respondent to obtain the assessment, and a specific date for compliance must be provided.
3 Only one such waiver or extension may be permitted.

4 15. **Mental Health Examination.** Respondent shall, within 45 days of the effective date
5 of this Decision, have a mental health examination including psychological testing as appropriate
6 to determine her capability to perform the duties of a registered nurse, including a determination
7 as set forth below in the condition titled "Rule-Out Substance Abuse Assessment." The
8 examination will be performed by a psychiatrist, psychologist or other licensed mental health
9 practitioner approved by the Board. The examining mental health practitioner will submit a
10 written report of that assessment and recommendations to the Board. All costs are the
11 responsibility of Respondent. Recommendations for treatment, therapy or counseling made as a
12 result of the mental health examination will be instituted and followed by Respondent.

13 If Respondent is determined to be unable to practice safely as a registered nurse, the
14 licensed mental health care practitioner making this determination shall immediately notify the
15 Board and Respondent by telephone, and the Board shall request that the Attorney General's
16 office prepare an accusation or petition to revoke probation. Respondent shall immediately cease
17 practice and may not resume practice until notified by the Board. During this period of
18 suspension, Respondent shall not engage in any practice for which a license issued by the Board
19 is required, until the Board has notified Respondent that a mental health determination permits
20 Respondent to resume practice. This period of suspension will not apply to the reduction of this
21 probationary time period.

22 If Respondent fails to have the above assessment submitted to the Board within the 45-day
23 requirement, Respondent shall immediately cease practice and shall not resume practice until
24 notified by the Board. This period of suspension will not apply to the reduction of this
25 probationary time period. The Board may waive or postpone this suspension only if significant,
26 documented evidence of mitigation is provided. Such evidence must establish good faith efforts
27 by Respondent to obtain the assessment, and a specific date for compliance must be provided.
28 Only one such waiver or extension may be permitted.

1 16. **Rule-Out Substance Abuse Assessment.** If the examiner
2 conducting the physical and/or mental health examination determines that the respondent is
3 dependent upon drugs or alcohol, or has had problems with drugs or alcohol (i.e., drug
4 dependence in remission or alcohol dependence in remission), that might reasonably affect the
5 safe practice of nursing, then respondent must further comply with the following additional terms
6 and conditions of probation.

7 **(A) PARTICIPATE IN TREATMENT/REHABILITATION PROGRAM FOR**
8 **CHEMICAL DEPENDENCE** - Respondent, at her expense, shall successfully complete during
9 the probationary period or shall have successfully completed prior to commencement of probation
10 a Board-approved treatment/rehabilitation program of at least six months duration. As required,
11 reports shall be submitted by the program on forms provided by the Board. If respondent has not
12 completed a Board-approved treatment/rehabilitation program prior to commencement of
13 probation, respondent, within 45 days from the effective date of the decision, shall be enrolled in
14 a program. If a program is not successfully completed within the first nine months of probation,
15 the Board shall consider respondent in violation of probation.

16 Based on Board recommendation, each week respondent shall be required to attend at
17 least one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics
18 Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as approved and directed by
19 the Board. If a nurse support group is not available, an additional 12-step meeting or equivalent
20 shall be added. Respondent shall submit dated and signed documentation confirming such
21 attendance to the Board during the entire period of probation. Respondent shall continue with the
22 recovery plan recommended by the treatment/rehabilitation program or a licensed mental health
23 examiner and/or other ongoing recovery groups.

24 **(B) ABSTAIN FROM USE OF PSYCHOTROPIC (MOOD-ALTERING) DRUGS** -
25 Respondent shall completely abstain from the possession, injection or consumption by any route
26 of all psychotropic (mood altering) drugs, including alcohol, except when the same are ordered by
27 a health care professional legally authorized to do so as part of documented medical treatment.
28 Respondent shall have sent to the Board, in writing and within fourteen (14) days, by the

1 prescribing health professional, a report identifying the medication, dosage, the date the
2 medication was prescribed, the respondent's prognosis, the date the medication will no longer be
3 required, and the effect on the recovery plan, if appropriate.

4 Respondent shall identify for the Board a single physician, nurse practitioner or physician
5 assistant who shall be aware of respondent's history of substance abuse and will coordinate and
6 monitor any prescriptions for respondent for mood-altering drugs. The coordinating physician,
7 nurse practitioner, or physician assistant shall report to the Board on a quarterly basis
8 respondent's compliance with this condition. If any substances considered addictive have been
9 prescribed, the report shall identify a program for the time limited use of any such substances.
10 The Board may require the single coordinating physician, nurse practitioner, or physician
11 assistant to be a specialist in addictive medicine, or to consult with a specialist in addictive
12 medicine.

13 **(C) SUBMIT TO TESTS AND SAMPLES** - Respondent, at her expense, shall
14 participate in a random, biological fluid testing or a drug screening program which the Board
15 approves. The length of time and frequency will be subject to approval by the Board. The
16 respondent is responsible for keeping the Board informed of respondent's current telephone
17 number at all times. Respondent shall also ensure that messages may be left at the telephone
18 number when she is not available and ensure that reports are submitted directly by the testing
19 agency to the Board, as directed. Any confirmed positive finding shall be reported immediately to
20 the Board by the program and the respondent shall be considered in violation of probation.

21 In addition, respondent, at any time during the period of probation, shall fully cooperate
22 with the Board or any of its representatives, and shall, when requested, submit to such tests and
23 samples as the Board or its representatives may require for the detection of alcohol, narcotics,
24 hypnotics, dangerous drugs, or other controlled substances.

25 If respondent has a positive drug screen for any substance not legally authorized and not
26 reported to the coordinating physician, nurse practitioner, or physician assistant, and the Board
27 files a petition to revoke probation or an accusation, the Board may suspend respondent from
28 practice pending the final decision on the petition to revoke probation or the accusation. This

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FAX No. 415-703-5588

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1 period of suspension will not apply to the reduction of this probationary time period.


2 If respondent fails to participate in a random, biological fluid testing or drug screening
3 program within the specified time frame, the respondent shall immediately cease practice and
4 shall not resume practice until notified by the Board. After taking into account documented
5 evidence of mitigation, if the Board files a petition to revoke probation or an accusation, the
6 Board may suspend respondent from practice pending the final decision on the petition to revoke
7 probation or the accusation. This period of suspension will not apply to the reduction of this
8 probationary time period.

9 (D) THERAPY OR COUNSELING PROGRAM - Respondent, at her expense, shall
10 participate in an on-going counseling program until such time as the Board releases him from this
11 requirement and only upon the recommendation of the counselor. Written progress reports from
12 the counselor will be required at various intervals.

13 ACCEPTANCE


14 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
15 discussed it with my attorney, Edgardo Gonzalez, Esq. I understand the stipulation and the effect
16 it will have on my Registered Nurse License. I enter into this Stipulated Settlement and
17 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
18 Decision and Order of the Board of Registered Nursing.

19
20 DATED: 3-20-12


21 CHRISTIANA MICHELLE HUGHES
Respondent

22 I have read and fully discussed with Respondent Christiana Michelle Hughes the terms and
23 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
24 I approve its form and content.

25 DATED: 3-20-12


26 Edgardo Gonzalez, Esq.
Attorney for Respondent

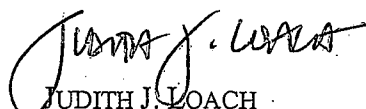
ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: 3-20-2012

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
FRANK H. PACOE
Supervising Deputy Attorney General


JUDITH J. LOACH
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 2012-171

EXHIBIT A

1 KAMALA D. HARRIS
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 JUDITH J. LOACH
Deputy Attorney General
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E-mail: Judith.Loach@doj.ca.gov
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:
13 **CHRISTIANA MICHELLE HUGHES**
3125 Kodiak Street
14 Antioch, CA 94531
Registered Nurse License No. 696895

Case No. 2012-171

ACCUSATION

Respondent.

17 Complainant alleges:

18 PARTIES

19 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
20 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
21 Consumer Affairs.

22 2. On or about February 7, 2007, the Board of Registered Nursing issued Registered
23 Nurse License Number 696895 to Christiana Michelle Hughes ("Respondent"). The Registered
24 Nurse License was in full force and effect at all times relevant to the charges brought herein and
25 will expire on May 31, 2012, unless renewed.

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1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
2 enforcement of the case.

3 DRUGS

4 9. Hydrocodone/Acetaminophen, also known as "Norco" or "Vicodin," is an opioid
5 analgesic prescribed to treat moderate to moderately severe pain. It is a Schedule III controlled
6 substance pursuant to Health and Safety Code Section 11056, subdivision (e)(3), and a dangerous
7 drug pursuant to Business and Professions Code Section 4022.

8 10. Hydromorphone, also known as "Dilaudid," is an opioid analgesic prescribed for
9 moderate to severe pain. It is a Schedule II controlled substance pursuant to Health and Safety
10 Code Section 11055, subdivision (b)(1)(K), and a dangerous drug pursuant to Business and
11 Professions Code Section 4022.

12 11. Oxycodone/Acetaminopen, also known as "Percocet," is an opioid analgesic
13 prescribed for moderate to severe pain. It is a Schedule II controlled substance and narcotic
14 pursuant to Health and Safety Code Section 11055, subdivision (b)(1)(N) and a dangerous drug
15 pursuant to Business and Professions Code Section 4022.

16 CAUSE FOR DISCIPLINE

17 (Unprofessional Conduct – Failure to Document Administration of Medications)

18 12. Respondent is subject to discipline under Code section 2761(a), on the grounds of
19 unprofessional conduct as defined in Code section 2762(e), in that between November 11 and
20 November 25, 2010, while employed as a registered nurse at John Muir Medical Center
21 ("JMMC") in Concord, California, she falsified, made grossly incorrect, grossly inconsistent or
22 unintelligible entries in hospital and/or patient medical records in the following respects:

23 Patient B:

24 a. On or about November 11, 2010, at 7:46 a.m., Respondent removed a 2 milligram
25 vial of Dilaudid from the Pyxis¹ at JMMC for Patient B. Respondent failed to document

26 ¹ Pyxis is an automated dispensing machine whereby licensed staff has access to
27 prescribed medications for patients. Each staff member is assigned a unique identification code,
28 which is entered prior to the withdrawal of prescribed medications.

1 administration of this medication in the patient's Medication Administration Record ("MAR") or
2 otherwise account for its disposition.

3 Patient G:

4 a. On or about November 15, 2010, at 8:33 a.m., Respondent removed one 5 milligram
5 tablet of Norco from the Pyxis at JMMC for Patient G. Respondent failed to document
6 administration of this medication in the patient's MAR or otherwise account for its disposition.

7 Patient H:

8 a. On or about November 15, 2010 at 9:04 a.m., Respondent removed two 10 milligram
9 tablets of Percocet from the Pyxis at JMMC for Patient H. Respondent failed to document
10 administration of this medication in the patient's MAR or otherwise account for its disposition.

11 b. On or about November 15, 2010, at 10:37 a.m., Respondent removed two 10
12 milligram tablets of Percocet from the Pyxis at JMMC for Patient H. Respondent failed to
13 document administration of this medication in the patient's MAR or otherwise account for its
14 disposition.

15 Patient K:

16 a. On November 25, 2010, at 7:56 a.m., Respondent withdrew one 5 milligram tablet of
17 Vicodin for Patient K from the Pyxis at JMMC. Respondent failed to document administration of
18 this medication in the patient's MAR or otherwise account for its disposition.

19 b. On November 25, 2010, at 12:33 p.m., Respondent withdrew one 2 milligram vial of
20 Dilaudid from the Pyxis at JMMC for Patient K. Respondent administered 1 milligram of
21 Dilaudid to Patient K, but failed to document disposition of the remaining milligram of this
22 medication.

23 Patient L:

24 a. On November 22, 2010 at 7:36 a.m., Respondent withdrew one 2 milligram vial of
25 Dilaudid from the Pyxis at JMMC for Patient L. Respondent failed to document administration
26 of this medication in the patient's MAR or otherwise account for its disposition.

27 b. On November 22, 2010 at 3:07 p.m., Respondent withdrew one 2 milligram vial of
28 Dilaudid from the Pyxis at JMMC for Patient L. Respondent documented in the Pyxis wasting

1. 1.5 milligrams of the Dilaudid but failed to document in the MAR the administration of 0.5
2 milligrams of this medication.

3 PRAYER

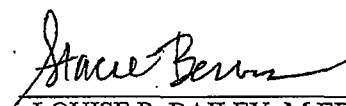
4 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
5 and that following the hearing, the Board of Registered Nursing issue a decision:

6 1. Revoking or suspending Registered Nurse License Number 696895, issued to
7 Christiana Michelle Hughes.

8 2. Ordering Christiana Michelle Hughes to pay the Board of Registered Nursing the
9 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
10 Professions Code section 125.3.

11 3. Taking such other and further action as deemed necessary and proper.

12
13 DATED: September 22, 2011

14 
15 for LOUISE R. BAILEY, M.ED., RN
16 Executive Officer
17 Board of Registered Nursing
18 Department of Consumer Affairs
19 State of California
20 Complainant

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